

## SUBCHAPTER F—USER FEES

### PART 130—USER FEES

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3701, 3716, 3717, 3719, and 3720A; 7 CFR 2.22, 2.80, and 371.4.

SOURCE: 57 FR 771, Jan. 9, 1992, unless otherwise noted.

#### § 130.1 Definitions.

As used in this part, the following terms shall have the meaning set forth in this section.

*Administrator.* The Administrator of the Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

*Animal.* All animals except birds, but including poultry.

*Animal and Plant Health Inspection Service (APHIS).* The Animal and Plant Health Inspection Service of the United States Department of Agriculture.

*Animal Import Center.* Quarantine facilities operated by APHIS in Newburgh, New York, and Miami, Florida.<sup>1</sup>

*APHIS representative.* An individual, including, but not limited to, an animal health technician or veterinarian, authorized by the Administrator to perform the services for which the user fees in this part are charged.

*Approved establishment.* An establishment approved by the Animal and Plant Health Inspection Service for the receipt and handling of restricted import animal products or byproducts under 9 CFR chapter I, subchapter D.

*Biosecurity level three laboratory.* A laboratory or production facility that works with foreign or domestic animal disease agents, organisms, or vectors that spread by aerosol route and that have serious or lethal effects, therefore requiring special biocontainment measures.

*Bird.* Any member of the class aves, other than poultry.

*Breeding animal.* Any animal imported into the United States for breeding purposes.

*Diagnostic reagent.* Substances used in diagnostic tests to detect disease

<sup>1</sup>The addresses of Animal Import Centers may be obtained from the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road, Unit 38, Riverdale, Maryland 20737–1231.

agents or antibodies by causing an identifiable reaction.

*Domestic animal.* Any animal imported into the United States for any purpose other than exhibition in a zoo, park or other place maintained for the exhibition of live animals for recreational or educational purposes.

*Equine.* Any horse, ass, mule, or zebra.

*Export health certificate.* An official document that, as required by the importing country, is endorsed by an APHIS representative and states that animals, animal products, organisms, vectors, or birds to be exported from the United States were found to be healthy and free from evidence of communicable diseases and pests.

*Feeder animal.* Any animal imported into the United States under 9 CFR part 93 for feeding.

*Game cock.* Any chicken bred, trained, or imported for cock fighting.

*Germ plasm.* Semen, embryos, or ova.

*Grade animal.* Any unregistered animal.

*In-bond animal.* Any animal imported into the United States under a United States Customs Service bond, as described in 19 CFR part 113.

*Load.* Those animals, birds, or animal germ plasm, presented for importation into the United States in a single shipment, that originate from one address, are destined for one address, and require one entry permit or authorization.

*Miniature horse.* Any horse which at maturity measures 34 inches high or less from the ground to the base of the last hair of the mane at the withers.

*National Veterinary Services Laboratories (NVSL).* The National Veterinary Services Laboratories of the Animal and Plant Health Inspection Service, located in Ames, Iowa.

*National Veterinary Services Laboratories, Foreign Animal Disease Diagnostic Laboratory (FADDL).* The National Veterinary Services Laboratories, Foreign Animal Disease Diagnostic Laboratory, located in Greenport, New York.

*Nonstandard care and handling.* Nonstandard care and handling includes hand-feeding, more than one feeding per day, frequent observation, and any handling or observation that requires personnel to attend to the birds or

poultry outside of normal business hours.<sup>2</sup>

*Nonstandard housing.* Nonstandard housing is individual housing not normally available at an APHIS animal import center, any housing constructed or purchased at the request of the importer, any housing with blinds, dense foliage, or plants, and any housing where the temperature can be adjusted.

*Person.* An individual, corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

*Pet birds.* Birds, except hatching eggs and ratites, that are imported or exported for the personal pleasure of their individual owners and are not intended for resale.

*Poultry.* Chickens, doves, ducks, geese, grouse, guinea fowl, partridges, pea fowl, pheasants, pigeons, quail, swans, and turkeys.

*Privately operated permanent import-quarantine facility.* Any permanent facility approved under 9 CFR part 93 to quarantine animals or birds, except facilities operated by APHIS.

*Registered animal.* Any animal recorded in the book of record of an animal registry association which issues certificates concerning the pedigree of animals.

*Slaughter animal.* Any animal moving directly to slaughter.

*Standard feed.* Seed, or dry feeds such as dog food or monkey biscuits, whether soaked in water or not.

*State animal health official.* The State official responsible for livestock and poultry disease control and eradication programs.

*Test.* A single analysis performed on a single specimen from an animal, animal product, commercial product, or animal feed.

*United States.* The several States of the United States, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and all other territories and possessions of the United States.

<sup>2</sup>Normal business hours at the APHIS Animal Import Centers are: 7 a.m. to 3:30 p.m., Miami, FL; and 8 a.m. to 4:30 p.m., Newburgh, NY.

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*Zoo animal.* Any animal, including poultry, intended for exhibition in a zoo, park or other place maintained for the exhibition of live animals for recreational or educational purposes.<sup>3</sup>

*Zoo bird.* Any bird intended for exhibition in a zoo, park or other place maintained for the exhibition of live animals or birds for recreational or educational purposes.

*Zoo equine.* Any equine intended for exhibition in a zoo, park or other place maintained for the exhibition of live animals for recreational or educational purposes.

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38957, July 21, 1993; 58 FR 67654, Dec. 22, 1993; 59 FR 67617, Dec. 30, 1994; 61 FR 20432, May 7, 1996; 62 FR 56026, Oct. 28, 1997; 63 FR 53788, Oct. 7, 1998; 63 FR 64175, Nov. 19, 1998; 64 FR 67698, Dec. 3, 1999; 65 FR 38178, 38180, June 20, 2000; 68 FR 64507, Nov. 14, 2003]

### § 130.2 User fees for individual animals and certain birds quarantined in APHIS-owned or -operated quarantine facilities, including APHIS Animal Import Centers; and fee for use of animal ramp.

(a) *Standard requirements.* User fees for each animal or bird receiving standard housing, care, feed, and handling while quarantined in an APHIS owned or operated animal import center or quarantine facility are listed in the following table. Each user fee listed in the table is assessed per animal or bird quarantined by APHIS. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Animal or bird	Daily user fee Beginning Oct. 1, 2003
Birds (excluding ratites and pet birds imported in accordance with Part 93 of this subchapter):	
0–250 grams .....	\$1.75
251–1,000 grams .....	5.75
Over 1,000 grams .....	13.00
Domestic or zoo animals (except equines, birds, and poultry):	
Bison, bulls, camels, cattle, or zoo animals .....	102.00
All others, including, but not limited to, alpacas, llamas, goats, sheep, and swine .....	27.00
Equines (including zoo equines, but excluding miniature horses):	
1st through 3rd day (fee per day) .....	270.00
4th through 7th day (fee per day) .....	195.00
8th and subsequent days (fee per day) .....	166.00
Miniature horses .....	61.00
Poultry (including zoo poultry):	
Doves, pigeons, quail .....	3.50
Chickens, ducks, grouse, guinea fowl, partridge, pea fowl, pheasants .....	6.25
Large poultry and large waterfowl, including, but not limited to game cocks, geese, swans, and turkeys .....	15.00
Ratites:	
Chicks (less than 3 months old) .....	9.25
Juveniles (3 months through 10 months old) .....	14.00
Adults (11 months old and older) .....	27.00

(b) *Special requirements.* User fees for birds or poultry, including zoo birds or poultry, receiving nonstandard housing, care, or handling to meet special requirements while quarantined in an APHIS owned or operated Animal Import Center or quarantine facility are listed in the following table. The user fees listed in the table are assessed for each bird or poultry quarantined by APHIS. Special requirements may be

requested by the importer or required by an APHIS representative. Certain conditions or traits, such as pregnancy or aggression, may necessitate special requirements for certain birds or poultry. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

<sup>3</sup>Regulations concerning approval of zoos and requirements for importing wild animals are found in part 93 of this chapter.

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Bird or poultry (nonstandard housing, care, or handling)	Daily user fee Beginning Oct. 1, 2003
Birds 0–250 grams and doves, pigeons, and quail .....	\$5.75
Birds 251–1,000 grams and poultry such as chickens, ducks, grouse, guinea fowl, partridge, pea fowl, and pheasants .....	13.00
Birds over 1,000 grams and large poultry and large waterfowl, including, but not limited to game cocks, geese, swans, and turkeys .....	25.00

(c) *Feed*. The importer must either provide feed or pay for it on an actual cost basis, including the cost of delivery to the APHIS owned or operated Animal Import Center or quarantine facility, for any animal or bird that requires a diet other than standard feed, including but not limited to diets of fruit, insects, nectar, or fish.

(d) *Animal ramp*. The user fee for the transport ramp used to move animals on or off aircraft at APHIS's Animal Import/Export and Plant Inspection Station at Miami International Airport is \$151 per use. For labor services associated with the ramp, the hourly user fees in § 130.30 will apply.

(Approved by the Office of Management and Budget under control number 0579-0094)

[63 FR 53788, Oct. 7, 1998, as amended at 65 FR 52005, Aug. 28, 2000; 68 FR 51883, Aug. 29, 2003; 68 FR 62227, Nov. 3, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70765, Dec. 13, 2007, § 130.2 was amended in paragraph (a) in the first sentence, by adding the words “for any service rendered by an APHIS representative” after the word “fees”, effective Jan. 14, 2008.

## § 130.3 User fees for exclusive use of space at APHIS Animal Import Centers.

(a)(1) An importer may request to exclusively occupy a space at an APHIS animal import center. The user fees for spaces at APHIS animal import centers are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Animal import center	Monthly user fee Beginning Oct. 1, 2003
Newburgh, NY:	
Space A—5,396 sq. ft. (503.1 sq. m.) .....	\$59,254
Space B—8,903 sq. ft. (827.1 sq. m.) .....	97,764
Space C—905 sq. ft. (84.1 sq. m.) .....	9,938

(2) Any importer who occupies space for more than 30 days must pay 1/30th of the 30-day fee for each additional day or part of a day. The person for whom the service is provided and the person requesting the service are jointly and severally liable for any additional charges.

(3) Unless the importer cancels the reservation for exclusive use of space in time to receive a refund of the reservation fee in accordance with 9 CFR 93.103, 93.204, 93.304, 93.404, or 93.504, as appropriate, the 30-day user fee will be effective as of the first day for which the importer has reserved the space, regardless of whether the user occupies the space on that date or not.

(b) Users must provide APHIS personnel at the Animal Import Center, at the time they make a reservation for quarantine space, with the following information:

(1) Species of animals and birds to be quarantined;

(2) Ages of animals and birds to be quarantined; and

(3) Sizes of animals and birds to be quarantined.

(c)(1) APHIS personnel at the Animal Importer Center will determine, based on the information provided by the importer under paragraph (b) of this section, and on routine husbandry needs, the maximum number of animals and

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birds permitted in the requested building.

(2) If the number of animals and birds requested by the importer can be housed in the space requested, as determined by APHIS personnel at the Animal Import Center, but two animal health technicians cannot fulfill the routine husbandry needs of the number of animals or birds proposed by the importer, then the importer must pay for additional services on an hourly basis, or reduce the number of animals or birds to be quarantined to a number which APHIS personnel at the Animal Import Center determine can be handled by two animal health technicians.

(3) If the importer requests additional services, then the user fees for those services will be calculated at the hourly rate user fee listed in §130.30, for each employee required to perform the service.

(d) The importer must provide feed, or pay for it on an actual cost basis, in-

cluding cost of delivery to the Animal Import Center.

(Approved by the Office of Management and Budget under control numbers 0579–0040 and 0579–0094)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 67654, Dec. 22, 1993; 61 FR 20432, May 7, 1996; 62 FR 56026, Oct. 28, 1997; 63 FR 53789, Oct. 7, 1998; 65 FR 52006, Aug. 28, 2000; 68 FR 51883, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70765, Dec. 13, 2007, §130.3 was amended in paragraph (c)(3) by removing the words “for those services” and adding the words “for any service rendered by an APHIS representative” in their place, effective Jan. 14, 2008.

### § 130.4 User fees for processing import permit applications.

User fees for processing applications for permits to import certain animals and animal products (using VS forms 16–3 and 17–129) are listed in the table in this section. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51. The table follows:

Service	Unit	User fee Beginning Oct. 1, 2003
1. Import compliance assistance:		
i. Simple (2 hours or less) .....	Per release .....	\$70.00
ii. Complicated (more than 2 hours) .....	Per release .....	180.00
2. Processing an application for a permit to import live animals, animal products or byproducts, organisms, vectors, or germ plasm (embryos or semen) or to transport organisms or vectors <sup>1</sup>		
i. Initial permit .....	Per application .....	94.00
ii. Amended permit .....	Per amended application .....	47.00
iii. Renewed permit <sup>2</sup> .....	Per application .....	61.00
3. Processing an application for a permit to import fetal bovine serum when facility inspection is required.	Per application .....	322.00

<sup>1</sup> Using Veterinary Services Form 16–3, “Application for Permit to Import or Transport Controlled Material or Organisms or Vectors,” or Form 17–129, “Application for Import or In Transit Permit (Animals, Animal Semen, Animal Embryos, Birds, Poultry, or Hatching Eggs).”

<sup>2</sup> Permits to import germ plasm and live animals are not renewable.

[66 FR 39631, Aug. 1, 2001, as amended at 68 FR 51883, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, §130.4 was amended in the first sentence of the section by adding the words “for any service rendered by an APHIS representative” after the word “fees”, and by adding the sentence “These fees are nonrefundable.” after the second sentence, effective Jan. 14, 2008.

### § 130.5 User fees for services at privately owned permanent and temporary import quarantine facilities.

(a) User fees for each animal quarantined in a privately operated permanent or temporary import quarantine facility will be calculated at the hourly user fee rate listed in §130.30, for each employee required to perform the service. The person for whom the service is

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provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

(b) [Reserved]

(Approved by the Office of Management and Budget under control number 0579-0094)

[65 FR 52006, Aug. 28, 2000]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, § 130.5 was amended in paragraph (a), in the first sentence, by adding the words “for any service rendered by an APHIS representative” after the word “fees”, effective Jan. 14, 2008.

### § 130.6 User fees for inspection of live animals at land border ports along the United States-Mexico border.

(a) User fees for live animals presented for importation into or entry into the United States through a land border port along the United States-Mexico border are listed in the following table. The minimum user fee for this service is listed in § 130.30. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Type of live animal	Per head user fee Beginning Oct. 1, 2003
Any ruminants (including breeder ruminants) not covered below .....	\$9.00
Feeder .....	2.50

Type of live animal	Per head user fee Beginning Oct. 1, 2003
Horses, other than slaughter .....	44.00
In-bond or in-transit .....	5.75
Slaughter .....	3.75

(b) [Reserved]

(Approved by the Office of Management and Budget under control numbers 0579-0055 and 0579-0094)

[65 FR 52006, Aug. 28, 2000, as amended at 68 FR 51884, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, § 130.6 was amended in paragraph (a), in the first sentence, by adding the words “for any service rendered by an APHIS representative” after the word “fees”, effective Jan. 14, 2008.

### § 130.7 User fees for import or entry services for live animals at land border ports along the United States-Canada border.

(a) User fees for live animals presented for importation into or entry into the United States through a land border port along the United States-Canada border are listed in the following table. The minimum user fee for this service is listed in § 130.30. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Type of live animal	Unit	User fee Beginning Oct. 1, 2003
<i>Animals being imported into the United States:</i>		
<i>Breeding animals (Grade animals, except horses):</i>		
Sheep and goats .....	Per head .....	\$0.50
Swine .....	Per head .....	0.75
All others .....	Per head .....	3.25
<i>Feeder animals:</i>		
Cattle (not including calves) .....	Per head .....	1.50
Sheep and calves .....	Per head .....	0.50
Swine .....	Per head .....	0.25
Horses (including registered horses), other than slaughter and in-transit .....	Per head .....	29.00
Poultry (including eggs), imported for any purpose .....	Per load .....	50.00
Registered animals (except horses) .....	Per head .....	6.00
Slaughter animals (except poultry) .....	Per load .....	25.00
<i>Animals transiting<sup>1</sup> the United States:</i>		
Cattle .....	Per head .....	1.50
Sheep and goats .....	Per head .....	0.25
Swine .....	Per head .....	0.25
Horses and all other animals .....	Per head .....	6.75

<sup>1</sup> The user fee in this section will be charged for in-transit authorizations at the port where the authorization services are performed. For additional services provided by APHIS, at any port, the hourly user fee rate in § 130.30 will apply.

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(b) [Reserved]

(Approved by the Office of Management and Budget under control numbers 0579-0055 and 0579-0094)

[65 FR 52007, Aug. 28, 2000, as amended at 67 FR 48524, July 25, 2002; 68 FR 51884, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, § 130.7 was amended in paragraph (a), first sentence, by adding the words “for any service rendered by an APHIS representative” after the word “fees” and by adding paragraph (b), effective Jan. 14, 2008. For the convenience of the user, the added text is set forth as follows:

### § 130.7 User fees for import or entry services for live animals at land border ports along the United States-Canada border.

\* \* \* \* \*

Service	Unit	User fee Beginning Oct. 1, 2003
<i>Germ plasm being exported:</i> <sup>1</sup>		
Embryo:		
Up to 5 donor pairs .....	Per certificate .....	\$83.00
Each additional group of donor pairs, up to 5 pairs per group, on the same certificate.	Per group of donor pairs	37.00
Semen .....	Per certificate .....	51.00
Release from export agricultural hold:		
Simple (2 hours or less) .....	Per release .....	70.00
Complicated (more than 2 hours) .....	Per release .....	180.00

<sup>1</sup> This user fee includes a single inspection and resealing of the container at the APHIS employee's regular tour of duty station or at a limited port. For each subsequent inspection and resealing required, the hourly user fee in § 130.30 will apply.

(b) [Reserved]

(Approved by the Office of Management and Budget under control numbers 0579-0015, 0579-0040, 0579-0055 and 0579-0094)

[65 FR 52007, Aug. 28, 2000, as amended at 66 FR 39632, Aug. 1, 2001; 68 FR 51884, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, § 130.8 was amended in paragraph (a), in the first sentence by adding the words

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(b) If a service must be conducted on a Sunday or holiday or at any other time outside the normal tour of duty of the employee, then reimbursable overtime, as provided for in part 97 of this chapter, must be paid for each service, in addition to the user fee listed in this section.

### § 130.8 User fees for other services.

(a) User fees for other services that are not specifically addressed elsewhere in part 130 are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

“for any service rendered by an APHIS representative” after the word “fees”, effective Jan. 14, 2008.

### § 130.9 [Reserved]

### § 130.10 User fees for pet birds.

(a) User fees for pet birds of U.S. origin returning to the United States, except pet birds of U.S. origin returning from Canada, are as follows:

Service	Unit	User fee Beginning Oct. 1, 2003
(1) Which have been out of the United States 60 days or less .....	Per lot .....	\$108.00
(2) Which have been out of the United States more than 60 days .....	Per lot .....	257.00

(b) User fees for each pet bird quarantined in an animal import center or other APHIS-owned or supervised quarantine facility are listed in the following table. These user fees include standard care, feed, and handling. The

person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

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Number of birds in isolette	Daily user fee Beginning Oct. 1, 2003
1 .....	\$9.25
2 .....	11.00
3 .....	13.00
4 .....	15.00
5 or more .....	18.00

(c) Based on the information provided to APHIS personnel, APHIS personnel at the Animal Import Center or other APHIS owned or supervised quarantine facility will determine the appropriate number of birds that should be housed per isolette.

(d) If the importer requests additional services, then the user fees for those services will be calculated at the hourly rate user fee listed in § 130.30,

for each employee required to perform the service.

(Approved by the Office of Management and Budget under control number 0579-0094)

[61 FR 20434, May 7, 1996; 61 FR 25513, May 21, 1996, as amended at 62 FR 56026, Oct. 28, 1997; 63 FR 53791, Oct. 7, 1998; 64 FR 67700, Dec. 3, 1999; 65 FR 52008, Aug. 28, 2000; 68 FR 51885, Aug. 29, 2003]

### § 130.11 User fees for inspecting and approving import/export facilities and establishments.

(a) User fees for the inspection of various import and export facilities and establishments are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Service	Unit	User fee beginning Oct. 1, 2003
Embryo collection center inspection and approval (all inspections required during the year for facility approval).	per year .....	\$380.00
Inspection for approval of biosecurity level three laboratories (all inspections related to approving the laboratory for handling one defined set of organisms or vectors).	per inspection .....	977.00
Inspection for approval of slaughter establishment:		
Initial approval (all inspections) .....	per year .....	373.00
Renewal (all inspections) .....	per year .....	323.00
Inspection of approved establishments, warehouses, and facilities under 9 CFR parts 94 through 96:		
Approval (compliance agreement) (all inspections for first year of 3-year approval).	per year .....	398.00
Renewed approval (all inspections for second and third years of 3-year approval).	per year .....	230.00

(b) [Reserved]

[65 FR 52008, Aug. 28, 2000, as amended at 68 FR 51885, Aug. 29, 2003; 68 FR 64507, Nov. 14, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, § 130.11 was amended in paragraph (a) by adding the sentence “These user fees do not apply to inspection activities covered in § 130.30(a)(2).” after the last sentence, effective Jan. 14, 2008.

### §§ 130.12–130.13 [Reserved]

### § 130.14 User fees for FADDL veterinary diagnostics.

(a) Diagnostic reagents. User fees for diagnostic reagents<sup>4</sup> provided by

<sup>4</sup>Reagents provided by FADDL are for the diagnosis of animal diseases foreign to the

FADDL are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

United States. These reagents may be available to customers on the mainland after safety testing with permission from the Administrator. The customer may have to pay the cost for the safety test in addition to the reagent user fee. For more information on the specific reagents contact: Laboratory Chief, USDA, APHIS, VS, FADDL, Greenport, NY 11344; phone (516) 323-2500, FAX (516) 323-2798.



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Reagent	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Bovine antiserum, any agent .....	1 mL .....	\$150.00	\$155.00	\$160.00	\$165.00
Caprine antiserum, any agent .....	1 mL .....	184.00	189.00	195.00	202.00
Cell culture antigen/microorganism .....	1 mL .....	103.00	106.00	109.00	111.00
Equine antiserum, any agent .....	1 mL .....	186.00	192.00	198.00	204.00
Fluorescent antibody conjugate .....	1 mL .....	169.00	172.00	176.00	179.00
Guinea pig antiserum, any agent .....	1 mL .....	184.00	189.00	194.00	200.00
Monoclonal antibody .....	1 mL .....	222.00	229.00	235.00	243.00
Ovine antiserum, any agent .....	1 mL .....	176.00	181.00	187.00	193.00
Porcine antiserum, any agent .....	1 mL .....	152.00	157.00	162.00	167.00
Rabbit antiserum, any agent .....	1 mL .....	179.00	185.00	190.00	196.00

(b) *Veterinary diagnostics tests.* User fees for veterinary diagnostic tests performed at FADDL are listed in the following table. The person for whom the service is provided and the person re-

questing the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Agar gel immunodiffusion .....	Test .....	\$30.00	\$31.00	\$32.00	\$33.00
Card .....	Test .....	17.00	17.00	18.00	18.00
Complement fixation .....	Test .....	36.00	37.00	38.00	40.00
Direct immunofluorescent antibody .....	Test .....	22.00	23.00	24.00	25.00
Enzyme linked immunosorbent assay ...	Test .....	26.00	27.00	28.00	29.00
Fluorescent antibody neutralization (classical swine fever).	Test .....	194.00	201.00	208.00	215.00
Hemagglutination inhibition .....	Test .....	57.00	59.00	61.00	63.00
Immunoperoxidase .....	Test .....	29.00	30.00	31.00	32.00
Indirect fluorescent antibody .....	Test .....	35.00	36.00	37.00	39.00
In-vitro safety .....	Test .....	570.00	589.00	609.00	630.00
In-vivo safety .....	Test .....	5,329.00	5,387.00	5,447.00	5,509.00
Latex agglutination .....	Test .....	23.00	24.00	25.00	26.00
Tube agglutination .....	Test .....	28.00	28.00	29.00	30.00
Virus isolation (oesophageal/pharyngeal).	Test .....	180.00	186.00	192.00	199.00
Virus isolation in embryonated eggs .....	Test .....	346.00	358.00	370.00	383.00
Virus isolation, other .....	Test .....	155.00	160.00	166.00	171.00
Virus neutralization .....	Test .....	52.00	54.00	56.00	58.00

(c) *Other veterinary diagnostic services.* User fees for other veterinary diagnostic services performed at FADDL are listed in the following table. The person for whom the service is provided

and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

Veterinary diagnostic service	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Bacterial isolation .....	Test .....	\$112.00	\$115.00	\$119.00	\$123.00
Hourly user fee services <sup>1</sup> .....	Hour .....	445.00	460.00	476.00	492.00
Hourly user fee services—Quarter hour .....	Quarter hour .....	111.00	115.00	119.00	123.00
Infected cells on chamber slides or plates.	Slide .....	49.00	50.00	51.00	53.00
Reference animal tissues for immunohistochemistry.	Set .....	171.00	177.00	182.00	187.00
Sterilization by gamma radiation .....	Can .....	1,740.00	1,799.00	1,860.00	1,923.00
Training (school or technical assistance)	Per person per day.	910.00	941.00	973.00	1,006.00

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Veterinary diagnostic service	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Virus titration .....	Test .....	112.00	115.00	119.00	123.00

<sup>1</sup> For all veterinary diagnostic services for which there is no flat rate user fee, the hourly rate user fee will be calculated for the actual time required to provide the service.

(Approved by the Office of Management and Budget under control numbers 0579–0055 and 0579–0094)

[63 FR 53791, Oct. 7, 1998, as amended at 64 FR 67700, Dec. 3, 1999; 68 FR 16940, Apr. 7, 2003; 69 FR 25307, May 6, 2004]

## **§ 130.15 User fees for veterinary diagnostic isolation and identification tests performed at NVSL (excluding FADDL) or other authorized site.**

(a) *Bacteriology isolation and identification tests.* User fees for bacteriology isolation and identification tests performed at NVSL (excluding FADDL) or

other authorized sites are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Bacterial identification, automated .....	Isolate .....	\$48.00	\$50.00	\$51.00	\$53.00
Bacterial identification, non-automated ..	Isolate .....	81.00	84.00	87.00	90.00
Bacterial isolation .....	Sample .....	33.00	34.00	35.00	36.00
Bacterial serotyping, all other .....	Isolate .....	51.00	52.00	53.00	55.00
Bacterial serotyping, <i>Pasteurella multocida</i> .	Isolate .....	16.00	17.00	18.00	18.00
Bacterial serotyping, <i>Salmonella</i> .....	Isolate .....	33.00	34.00	35.00	36.00
Bacterial toxin typing .....	Isolate .....	109.00	112.00	116.00	120.00
Bacteriology requiring special characterization.	Test .....	83.00	86.00	89.00	92.00
DNA fingerprinting .....	Test .....	54.00	56.00	58.00	59.00
DNA/RNA probe .....	Test .....	77.00	79.00	81.00	83.00
Fluorescent antibody .....	Test .....	17.00	17.00	18.00	19.00
Mycobacterium identification (biochemical).	Isolate .....	104.00	107.00	111.00	114.00
Mycobacterium identification (gas chromatography).	Procedure .....	87.00	90.00	93.00	96.00
Mycobacterium isolation, animal inoculations.	Submission .....	770.00	791.00	814.00	837.00
Mycobacterium isolation, all other .....	Submission .....	136.00	141.00	146.00	151.00
Mycobacterium paratuberculosis isolation.	Submission .....	65.00	67.00	70.00	72.00
Phage typing, all other .....	Isolate .....	38.00	39.00	41.00	42.00
Phage typing, <i>Salmonella enteritidis</i> .....	Isolate .....	21.00	22.00	23.00	24.00

(b) *Virology identification tests.* User fees for virology identification tests performed at NVSL (excluding FADDL) or other authorized sites are listed in the following table. The person for

whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Fluorescent antibody tissue section .....	Test .....	\$27.00	\$27.00	\$28.00	\$29.00
Virus isolation .....	Test .....	43.00	45.00	46.00	48.00

**§ 130.16**

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(Approved by the Office of Management and Budget under control numbers 0579–0055 and 0579–0094)

[63 FR 53792, Oct. 7, 1998, as amended at 69 FR 25308, May 6, 2004]

EFFECTIVE DATE NOTE: At 72 FR 71746, Dec. 19, 2007, § 130.15 was amended by revising the tables in paragraphs (a) and (b), effective Jan. 18, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 130.15 User fees for veterinary diagnostic isolation and identification tests performed at NVSL (excluding FADDL) or other authorized site.**

(a) \* \* \*

Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Bacterial identification, automated	Isolate .....	\$53.00	\$54.00	\$55.00	\$57.00	\$58.00
Bacterial identification, non-automated.	Isolate .....	90.00	92.00	94.00	96.00	98.00
Bacterial isolation .....	Sample .....	36.00	37.00	38.00	39.00	40.00
Bacterial serotyping, all other .....	Isolate .....	55.00	56.00	56.00	57.00	58.00
Bacterial serotyping, <i>Pasteurella multocida</i> .	Isolate .....	18.00	19.00	19.00	19.00	20.00
Bacterial serotyping, <i>Salmonella</i> ..	Isolate .....	36.00	37.00	38.00	39.00	40.00
Bacterial toxin typing .....	Isolate .....	120.00	123.00	126.00	128.00	131.00
Bacteriology requiring special characterization.	Test .....	92.00	94.00	96.00	98.00	101.00
DNA fingerprinting .....	Test .....	59.00	61.00	62.00	63.00	64.00
DNA probe .....	Test .....	83.00	85.00	86.00	88.00	89.00
Fluorescent antibody .....	Test .....	19.00	19.00	20.00	20.00	20.00
Mycobacterium identification (biochemical).	Isolate .....	115.00	117.00	120.00	122.00	125.00
Mycobacterium identification (gas chromatography).	Procedure .....	96.00	99.00	101.00	103.00	105.00
Mycobacterium isolation, animal inoculations.	Submission .....	844.00	852.00	868.00	884.00	900.00
Mycobacterium isolation, all other	Submission .....	151.00	154.00	158.00	161.00	165.00
Mycobacterium paratuberculosis isolation.	Submission .....	72.00	74.00	75.00	77.00	79.00
Phage typing, all other .....	Isolate .....	42.00	43.00	44.00	45.00	46.00
Phage typing, <i>Salmonella enteritidis</i> .	Isolate .....	24.00	24.00	25.00	25.00	26.00

(b) \* \* \*

Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Fluorescent antibody tissue section.	Test .....	\$29.00	\$30.00	\$30.00	\$31.00	\$31.00
Virus isolation .....	Test .....	48.00	49.00	50.00	51.00	52.00

\* \* \* \* \*

**§ 130.16 User fees for veterinary diagnostic serology tests performed at NVSL (excluding FADDL) or at authorized sites.**

(a) *Bacteriology serology tests.* User fees for bacteriology serology tests performed at NVSL (excluding FADDL) or other authorized sites are listed in the

following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

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Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Brucella ring (BRT) .....	Test .....	\$33.00	\$34.00	\$35.00	\$36.00
Brucella ring, heat inactivated (HIRT) ...	Test .....	33.00	34.00	35.00	36.00
Brucella ring, serial (Serial BRT) .....	Test .....	49.00	51.00	53.00	54.00
Buffered acidified plate antigen pre- sumptive.	Test .....	6.00	7.00	7.00	7.00
Card .....	Test .....	4.00	4.00	4.00	4.00
Complement fixation .....	Test .....	15.00	15.00	16.00	16.00
Enzyme linked immunosorbent assay ...	Test .....	15.00	15.00	16.00	16.00
Indirect fluorescent antibody .....	Test .....	13.00	13.00	14.00	14.00
Microscopic agglutination-includes up to 5 serovars.	Sample .....	21.00	22.00	23.00	24.00
Microscopic agglutination-each serovar in excess of 5 serovars.	Sample .....	4.00	4.00	4.00	4.00
Particle concentration fluorescent immunoassay (PCFIA).	Test .....	33.00	34.00	35.00	36.00
Plate .....	Test .....	6.00	7.00	7.00	7.00
Rapid automated presumptive .....	Test .....	6.00	6.00	6.00	7.00
Rivanol .....	Test .....	6.00	7.00	7.00	7.00
Tube agglutination .....	Test .....	6.00	7.00	7.00	7.00

(b) *Virology serology tests.* User fees for virology serology tests performed at NVSL (excluding FADDL) or at authorized sites are listed in the following table. The person for whom the

service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Agar gel immunodiffusion .....	Test .....	\$15.00	\$15.00	\$16.00	\$16.00
Complement fixation .....	Test .....	15.00	15.00	16.00	16.00
Enzyme linked immunosorbent assay ...	Test .....	15.00	15.00	16.00	16.00
Hemagglutination inhibition .....	Test .....	13.00	13.00	14.00	14.00
Indirect fluorescent antibody .....	Test .....	13.00	13.00	14.00	14.00
Latex agglutination .....	Test .....	15.00	15.00	16.00	16.00
Peroxidase linked antibody .....	Test .....	14.00	14.00	15.00	15.00
Plaque reduction neutralization .....	Test .....	16.00	17.00	17.00	18.00
Rabies fluorescent antibody neutraliza- tion.	Test .....	41.00	42.00	44.00	45.00
Virus neutralization .....	Test .....	12.00	12.00	13.00	13.00

(Approved by the Office of Management and Budget under control numbers 0579–0055 and 0579–0094)

[63 FR 53793, Oct. 7, 1998, as amended at 69 FR 25309, May 6, 2004]

EFFECTIVE DATE NOTE: At 72 FR 71746, Dec. 19, 2007, §130.16 was amended by revising the tables in paragraphs (a) and (b), effective Jan. 18, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 130.16 User fees for veterinary diagnostic serology tests performed at NVSL (excluding FADDL) or at authorized sites.**

(a) \* \* \*

Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Brucella ring (BRT) .....	Test .....	\$36.00	\$37.00	\$38.00	\$39.00	\$40.00
Brucella ring, heat inactivated (HIRT).	Test .....	36.00	37.00	38.00	39.00	40.00
Brucella ring, serial (Serial BRT)	Test .....	54.00	56.00	57.00	58.00	59.00

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Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Buffered acidified plate antigen presumptive.	Test .....	7.00	7.25	7.50	7.50	8.00
Card .....	Test .....	4.00	4.00	4.25	4.25	4.50
Complement fixation .....	Test .....	16.00	17.00	17.00	18.00	18.00
Enzyme linked immunosorbent assay.	Test .....	16.00	17.00	17.00	18.00	18.00
Indirect fluorescent antibody .....	Test .....	14.00	15.00	15.00	15.00	16.00
Microscopic agglutination—includes up to 5 serovars.	Sample .....	24.00	24.00	25.00	25.00	26.00
Microscopic agglutination—each serovar in excess of 5 serovars.	Sample .....	4.25	4.50	4.50	4.50	4.75
Particle concentration fluorescent immunoassay (PCFIA).	Test .....	36.00	37.00	38.00	38.00	39.00
Plate .....	Test .....	7.00	7.25	7.50	7.50	7.75
Rapid automated presumptive .....	Test .....	7.00	7.00	7.25	7.25	7.25
Rivanol .....	Test .....	7.00	7.25	7.50	7.50	7.75
Tube agglutination .....	Test .....	7.00	7.25	7.50	7.50	7.75

(b) \* \* \*

Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Agar gel immunodiffusion .....	Test .....	\$16.00	\$17.00	\$17.00	\$17.00	\$18.00
Complement fixation .....	Test .....	16.00	17.00	17.00	18.00	18.00
Enzyme linked immunosorbent assay.	Test .....	16.00	17.00	17.00	18.00	18.00
Hemagglutination inhibition .....	Test .....	14.00	15.00	15.00	15.00	16.00
Indirect fluorescent antibody .....	Test .....	14.00	15.00	15.00	15.00	16.00
Latex agglutination .....	Test .....	16.00	17.00	17.00	17.00	18.00
Peroxidase linked antibody .....	Test .....	15.00	16.00	16.00	16.00	17.00
Plaque reduction neutralization .....	Test .....	18.00	18.00	19.00	19.00	19.00
Rabies fluorescent antibody neutralization.	Test .....	45.00	46.00	47.00	49.00	50.00
Virus neutralization .....	Test .....	13.00	13.00	14.00	14.00	14.00

\* \* \* \* \*

**§ 130.17 User fees for other veterinary diagnostic laboratory tests performed at NVSL (excluding FADDL) or at authorized sites.**

(a) User fees for veterinary diagnostics tests performed at the

Pathobiology Laboratory at NVSL (excluding FADDL) or at authorized sites are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Aflatoxin quantitation .....	Test .....	\$27.00	\$28.00	\$29.00	\$30.00
Aflatoxin screen .....	Test .....	26.00	27.00	28.00	29.00
Agar gel immunodiffusion spp. identification.	Test .....	11.00	12.00	12.00	13.00
Antibiotic (bioautography) quantitation ...	Test .....	59.00	61.00	63.00	65.00
Antibiotic (bioautography) screen .....	Test .....	108.00	112.00	115.00	119.00
Antibiotic inhibition .....	Test .....	59.00	61.00	63.00	65.00
Arsenic .....	Test .....	16.00	16.00	17.00	17.00
Ergot alkaloid screen .....	Test .....	59.00	61.00	63.00	65.00
Ergot alkaloid confirmation .....	Test .....	77.00	80.00	83.00	86.00
Feed microscopy .....	Test .....	59.00	61.00	63.00	65.00
Fumonisin only .....	Test .....	33.00	35.00	36.00	37.00

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Test	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Gossypol .....	Test .....	89.00	92.00	95.00	98.00
Mercury .....	Test .....	131.00	135.00	140.00	145.00
Metals screen .....	Test .....	40.00	41.00	43.00	44.00
Metals single element confirmation .....	Test .....	11.00	12.00	12.00	13.00
Mycotoxin: aflatoxin-liver .....	Test .....	108.00	112.00	115.00	119.00
Mycotoxin screen .....	Test .....	43.00	44.00	46.00	48.00
Nitrate/nitrite .....	Test .....	59.00	61.00	63.00	65.00
Organic compound confirmation .....	Test .....	79.00	82.00	85.00	88.00
Organic compound screen .....	Test .....	137.00	141.00	146.00	151.00
Parasitology .....	Test .....	26.00	27.00	28.00	29.00
Pesticide quantitation .....	Test .....	119.00	123.00	128.00	132.00
Pesticide screen .....	Test .....	54.00	56.00	58.00	60.00
pH .....	Test .....	24.00	25.00	26.00	26.00
Plate cylinder .....	Test .....	89.00	92.00	95.00	98.00
Selenium .....	Test .....	40.00	41.00	43.00	44.00
Silicate/carbonate disinfectant .....	Test .....	59.00	61.00	63.00	65.00
Temperature disks .....	Test .....	118.00	122.00	126.00	130.00
Toxicant quantitation, other .....	Test .....	99.00	103.00	106.00	110.00
Toxicant screen, other .....	Test .....	30.00	31.00	32.00	33.00
Vomitoxin only .....	Test .....	48.00	49.00	51.00	53.00
Water activity .....	Test .....	30.00	31.00	32.00	33.00
Zearaleone quantitation .....	Test .....	48.00	49.00	51.00	53.00
Zearaleone screen .....	Test .....	26.00	27.00	28.00	29.00

(b) [Reserved]

(Approved by the Office of Management and Budget under control numbers 0579–0055 and 0579–0094)

[63 FR 53793, Oct. 7, 1998, as amended at 69 FR 25309, May 6, 2004]

EFFECTIVE DATE NOTE: At 72 FR 71747, Dec. 19, 2007, §130.17 was amended by revising the

table in (a), effective Jan. 18, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 130.17 User fees for other veterinary diagnostic laboratory tests performed at NVSL (excluding FADDL) or at authorized sites.**

(a) \* \* \*

Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Aflatoxin quantitation .....	Test .....	\$30.00	\$31.00	\$32.00	\$32.00	\$33.00
Aflatoxin screen .....	Test .....	29.00	29.00	30.00	30.00	31.00
Agar gel immunodiffusion spp. identification.	Test .....	13.00	13.00	13.00	14.00	14.00
Antibiotic (bioautography) quan- titation.	Test .....	66.00	67.00	68.00	70.00	72.00
Antibiotic (bioautography) screen	Test .....	119.00	122.00	125.00	128.00	130.00
Antibiotic inhibition .....	Test .....	66.00	67.00	68.00	70.00	72.00
Arsenic .....	Test .....	17.00	18.00	18.00	19.00	19.00
Ergot alkaloid screen .....	Test .....	66.00	67.00	68.00	70.00	72.00
Ergot alkaloid confirmation .....	Test .....	86.00	88.00	89.00	91.00	94.00
Feed microscopy .....	Test .....	66.00	67.00	68.00	70.00	72.00
Fumonisin only .....	Test .....	37.00	38.00	39.00	40.00	40.00
Gossypol .....	Test .....	98.00	100.00	103.00	105.00	107.00
Mercury .....	Test .....	145.00	148.00	151.00	155.00	158.00
Metals screen .....	Test .....	44.00	45.00	46.00	47.00	48.00
Metals single element confirma- tion.	Test .....	13.00	13.00	13.00	14.00	14.00
Mycotoxin: aflatoxin-liver .....	Test .....	119.00	122.00	125.00	128.00	130.00
Mycotoxin screen .....	Test .....	48.00	49.00	50.00	51.00	52.00
Nitrate/nitrite .....	Test .....	66.00	67.00	68.00	70.00	72.00
Organic compound confirmation ..	Test .....	88.00	90.00	92.00	94.00	96.00
Organic compound screen .....	Test .....	151.00	155.00	158.00	161.00	165.00
Parasitology .....	Test .....	29.00	29.00	30.00	30.00	31.00
Pesticide quantitation .....	Test .....	132.00	135.00	138.00	141.00	144.00
Pesticide screen .....	Test .....	60.00	62.00	63.00	64.00	66.00
pH .....	Test .....	26.00	27.00	28.00	28.00	29.00
Plate cylinder .....	Test .....	98.00	100.00	103.00	105.00	107.00

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Test	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Selenium .....	Test .....	44.00	45.00	46.00	47.00	48.00
Silicate/carbonate disinfectant .....	Test .....	66.00	67.00	68.00	70.00	72.00
Temperature disks .....	Test .....	130.00	133.00	136.00	139.00	142.00
Toxicant quantitation, other .....	Test .....	110.00	112.00	115.00	117.00	120.00
Toxicant screen, other .....	Test .....	33.00	33.00	34.00	35.00	36.00
Vomitoxin only .....	Test .....	53.00	54.00	55.00	56.00	58.00
Water activity .....	Test .....	33.00	33.00	34.00	35.00	36.00
Zearaleone quantitation .....	Test .....	53.00	54.00	55.00	56.00	58.00
Zearaleone screen .....	Test .....	29.00	29.00	30.00	30.00	31.00

\* \* \* \* \*

**§ 130.18 User fees for veterinary diagnostic reagents produced at NVSL or other authorized site (excluding FADDL).**

(a) *Bacteriology reagents.* User fees for bacteriology reagents produced by the

Diagnostic Bacteriology Laboratory at NVSL (excluding FADDL) or other authorized site are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Reagent	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Anaplasma card test antigen .....	2 mL .....	\$87.00	\$89.00	\$92.00	\$95.00
Anaplasma card test kit without antigen .....	Kit .....	115.00	119.00	123.00	127.00
Anaplasma CF antigen .....	2 mL .....	46.00	46.00	46.00	46.00
Anaplasma stabilate .....	4.5 mL .....	160.00	165.00	170.00	175.00
Avian origin bacterial antisera .....	1 mL .....	43.00	44.00	46.00	47.00
Bacterial agglutinating antigens other than brucella and salmonella pullorum. ....	5 mL .....	49.00	51.00	52.00	54.00
Bacterial conjugates .....	1 mL .....	87.00	90.00	93.00	96.00
Bacterial disease CF antigens, all other .....	1 mL .....	26.00	27.00	28.00	29.00
Bacterial ELISA antigens .....	1 mL .....	27.00	27.00	28.00	29.00
Bacterial or protozoal, antisera, all other. ....	1 mL .....	54.00	56.00	58.00	60.00
Bacterial reagent culture <sup>1</sup> .....	Culture .....	66.00	68.00	70.00	73.00
Bacterial reference culture <sup>2</sup> .....	Culture .....	206.00	213.00	221.00	228.00
Bacteriophage reference culture .....	Culture .....	155.00	161.00	166.00	172.00
Bovine serum factor .....	1 mL .....	16.00	17.00	17.00	18.00
Brucella abortus CF antigen .....	60 mL .....	136.00	141.00	146.00	151.00
Brucella agglutination antigens, all other .....	60 mL .....	136.00	141.00	146.00	151.00
Brucella buffered plate antigen .....	60 mL .....	155.00	161.00	166.00	172.00
Brucella canis tube antigen .....	25 mL .....	102.00	105.00	107.00	109.00
Brucella card test antigen (packaged) ....	Package .....	81.00	84.00	87.00	90.00
Brucella card test kit without antigen ....	Kit .....	106.00	109.00	111.00	113.00
Brucella cells .....	Gram .....	17.00	17.00	18.00	18.00
Brucella cells, dried .....	Pellet .....	5.00	5.00	5.00	6.00
Brucella ring test antigen .....	60 mL .....	218.00	225.00	233.00	241.00
Brucella rivanol solution .....	60 mL .....	27.00	27.00	28.00	29.00
Dourine CF antigen .....	1 mL .....	81.00	84.00	86.00	89.00
Dourine stabilate .....	4.5 mL .....	102.00	105.00	107.00	109.00
Equine and bovine origin babesia species antisera .....	1 mL .....	115.00	119.00	123.00	127.00
Equine negative control CF antigen .....	1 mL .....	267.00	272.00	276.00	281.00
Flazo-orange .....	3 mL .....	11.00	12.00	12.00	13.00
Glanders CF antigen .....	1 mL .....	70.00	73.00	75.00	77.00
Hemoparasitic disease CF antigens, all other. ....	1 mL .....	489.00	505.00	522.00	540.00
Leptospira transport medium .....	10 mL .....	4.00	4.00	4.00	4.00
Monoclonal antibody .....	1 mL .....	88.00	90.00	93.00	95.00
Mycobacterium spp. old tuberculin .....	1 mL .....	21.00	22.00	23.00	24.00
Mycobacterium spp. PPD .....	1 mL .....	16.00	17.00	18.00	18.00
Mycoplasma hemagglutination antigens .....	5 mL .....	163.00	168.00	174.00	180.00
Negative control sera .....	1 mL .....	16.00	17.00	18.00	18.00
Rabbit origin bacterial antiserum .....	1 mL .....	47.00	48.00	50.00	52.00

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Reagent	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Salmonella pullorum microagglutination antigen.	5 mL .....	14.00	14.00	15.00	15.00
Stabilates, all other .....	4.5 mL .....	623.00	640.00	659.00	678.00

<sup>1</sup> A reagent culture is a bacterial culture that has been subcultured one or more times after being tested for purity and identity. It is intended for use as a reagent with a diagnostic test such as the leptospiral microagglutination test.

<sup>2</sup> A reference culture is a bacterial culture that has been thoroughly tested for purity and identity. It should be suitable as a master seed for future cultures.

(b) *Virology reagents.* User fees for virology reagents produced by the Diagnostic Virology Laboratory at NVSL (excluding FADDL) or at authorized sites are listed in the following table.

The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Reagent	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Antigen, except avian influenza and chlamydia psittaci antigens, any.	2 mL .....	\$55.00	\$57.00	\$59.00	\$61.00
Avian antiserum except avian influenza antiserum, any.	2 mL .....	44.00	45.00	47.00	48.00
Avian influenza antigen, any .....	2 mL .....	30.00	31.00	32.00	33.00
Avian influenza antiserum, any .....	6 mL .....	93.00	96.00	100.00	103.00
Bovine or ovine serum, any .....	2 mL .....	115.00	119.00	123.00	127.00
Cell culture .....	Flask .....	136.00	141.00	146.00	151.00
Chlamydia psittaci spp. of origin monoclonal antibody panel.	Panel .....	88.00	90.00	93.00	95.00
Conjugate, any .....	1 mL .....	66.00	68.00	71.00	73.00
Diluted positive control serum, any .....	2 mL .....	22.00	23.00	24.00	24.00
Equine antiserum, any .....	2 mL .....	41.00	42.00	44.00	45.00
Monoclonal antibody .....	1 mL .....	94.00	96.00	99.00	102.00
Other spp. antiserum, any .....	1 mL .....	51.00	51.00	52.00	52.00
Porcine antiserum, any .....	2 mL .....	95.00	99.00	102.00	105.00
Porcine tissue sets .....	Tissue set .....	152.00	153.00	155.00	157.00
Positive control tissues, all .....	2 cm <sup>2</sup> section ...	55.00	57.00	58.00	60.00
Rabbit origin antiserum .....	1 mL .....	47.00	48.00	50.00	52.00
Reference virus, any .....	0.6 mL .....	163.00	169.00	174.00	180.00
Viruses (except reference viruses), chlamydia psittaci agent or chlamydia psittaci antigen, any.	0.6 mL .....	27.00	28.00	29.00	30.00

(Approved by the Office of Management and Budget under control number 0579–0094)

[63 FR 53794, Oct. 7, 1998, as amended at 68 FR 16940, Apr. 7, 2003; 69 FR 25310, May 6, 2004]

EFFECTIVE DATE NOTE: At 72 FR 71748, Dec. 19, 2007, § 130.18 was amended by revising the tables in paragraphs (a) and (b), effective Jan. 18, 2007. For the convenience of the user, the revised text is set forth as follows:

## § 130.18 User fees for veterinary diagnostic reagents produced at NVSL or other authorized site (excluding FADDL).

(a) \* \* \*

Reagent	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Anaplasma card test antigen .....	2 mL .....	\$95.00	\$97.00	\$99.00	\$101.00	\$103.00
Anaplasma card test kit without antigen.	Kit .....	127.00	130.00	133.00	136.00	139.00
Anaplasma CF antigen .....	2 mL .....	46.00	46.00	46.00	47.00	47.00
Anaplasma stabilate .....	4.5 mL .....	175.00	178.00	181.00	185.00	188.00
Avian origin bacterial antisera	1 mL .....	48.00	49.00	50.00	51.00	52.00



Reagent	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Bacterial agglutinating antigens other than brucella and salmonella pullorum.	5 mL .....	54.00	55.00	57.00	58.00	59.00
Bacterial conjugates .....	1 mL .....	96.00	99.00	101.00	103.00	105.00
Bacterial disease CF antigens, all other.	1 mL .....	29.00	30.00	30.00	31.00	32.00
Bacterial ELISA antigens .....	1 mL .....	29.00	30.00	31.00	31.00	32.00
Bacterial or protozoal antisera, all other.	1 mL .....	60.00	61.00	63.00	64.00	66.00
Bacterial reagent culture <sup>1</sup> .....	Culture .....	73.00	74.00	76.00	78.00	79.00
Bacterial reference culture <sup>2</sup> .....	Culture .....	228.00	233.00	239.00	244.00	249.00
Bacteriophage reference culture ..	Culture .....	172.00	176.00	180.00	183.00	188.00
Bovine serum factor .....	1 mL .....	18.00	18.00	19.00	19.00	19.00
Brucella abortus CF antigen .....	60 mL .....	151.00	154.00	158.00	161.00	165.00
Brucella agglutination antigens, all other.	60 mL .....	151.00	154.00	158.00	161.00	165.00
Brucella buffered plate antigen ....	60 mL .....	172.00	176.00	180.00	183.00	188.00
Brucella canis tube antigen .....	25 mL .....	114.00	116.00	119.00	121.00	124.00
Brucella card test antigen (packaged).	Package .....	90.00	92.00	94.00	96.00	98.00
Brucella card test kit without antigen.	Kit .....	113.00	114.00	116.00	117.00	119.00
Brucella cells .....	Gram .....	19.00	19.00	19.00	20.00	20.00
Brucella cells, dried .....	Pellet .....	6.00	6.00	6.25	6.25	6.25
Brucella ring test antigen .....	60 mL .....	241.00	246.00	252.00	257.00	263.00
Brucella rivanol solution .....	60 mL .....	29.00	30.00	31.00	31.00	32.00
Dourine CF antigen .....	1 mL .....	89.00	91.00	93.00	95.00	97.00
Dourine stabilate .....	4.5 mL .....	109.00	111.00	112.00	114.00	116.00
Equine and bovine origin babesia species antisera.	1 mL .....	127.00	130.00	133.00	136.00	139.00
Equine negative control CF antigen.	1 mL .....	282.00	283.00	286.00	290.00	293.00
Flazo-orange .....	3 mL .....	13.00	13.00	13.00	13.00	14.00
Glanders CF antigen .....	1 mL .....	77.00	79.00	81.00	82.00	84.00
Hemoparasitic disease CF antigens, all other.	1 mL .....	541.00	553.00	565.00	577.00	590.00
Leptospira transport medium .....	10 mL .....	4.25	4.50	4.50	4.50	4.75
Monoclonal antibody .....	1 mL .....	95.00	97.00	99.00	101.00	103.00
Mycobacterium spp. old tuberculin	1 mL .....	24.00	24.00	25.00	25.00	26.00
Mycobacterium spp. PPD .....	1 mL .....	18.00	19.00	19.00	19.00	20.00
Mycoplasma hemagglutination antigens.	5 mL .....	180.00	184.00	188.00	192.00	197.00
Negative control sera .....	1 mL .....	18.00	19.00	19.00	19.00	20.00
Rabbit origin bacterial antiserum	1 mL .....	52.00	53.00	54.00	55.00	56.00
Salmonella pullorum microagglutination antigen.	5 mL .....	15.00	16.00	16.00	16.00	17.00
Stabilates, all other .....	4.5 mL .....	684.00	690.00	703.00	716.00	730.00

<sup>1</sup> A reagent culture is a bacterial culture that has been subcultured one or more times after being tested for purity and identity. It is intended for use as a reagent with a diagnostic test such as the leptospiral agglutination test.

<sup>2</sup> A reference culture is a bacterial culture that has been thoroughly tested for purity and identity. It should be suitable as a master seed for future cultures.

(b) \* \* \*

Reagent	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Antigen, except avian influenza and chlamydia psittaci antigens, any.	2 mL .....	\$61.00	\$62.00	\$64.00	\$65.00	\$67.00
Avian antiserum except avian influenza antiserum, any.	2 mL .....	48.00	49.00	51.00	52.00	53.00
Avian influenza antigen, any .....	2 mL .....	33.00	34.00	35.00	36.00	36.00
Avian influenza antiserum, any ....	6 mL .....	103.00	105.00	108.00	110.00	113.00
Bovine or ovine serum, any .....	2 mL .....	127.00	130.00	133.00	136.00	139.00
Cell culture .....	Flask .....	151.00	154.00	158.00	161.00	165.00

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Reagent	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Chlamydia psittaci spp. of origin monoclonal antibody panel.	Panel .....	95.00	96.00	98.00	99.00	101.00
Conjugate, any .....	1 mL .....	73.00	75.00	76.00	78.00	80.00
Diluted positive control serum, any.	2 mL .....	24.00	25.00	25.00	26.00	27.00
Equine antiserum, any .....	2 mL .....	45.00	46.00	47.00	48.00	49.00
Monoclonal antibody .....	1 mL .....	102.00	104.00	106.00	108.00	110.00
Other spp. antiserum, any .....	1 mL .....	52.00	52.00	52.00	53.00	53.00
Porcine antiserum, any .....	2 mL .....	105.00	108.00	110.00	113.00	115.00
Porcine tissue sets .....	Tissue set .....	157.00	157.00	158.00	159.00	161.00
Positive control tissues, all .....	2 cm <sup>2</sup> section .....	60.00	62.00	63.00	65.00	66.00
Rabbit origin antiserum .....	1 mL .....	52.00	53.00	54.00	55.00	56.00
Reference virus, any .....	0.6 mL .....	180.00	184.00	188.00	193.00	197.00
Viruses (except reference vi- ruses), chlamydia psittaci agent or chlamydia psittaci antigen, any.	0.6 mL .....	30.00	31.00	32.00	32.00	33.00

\* \* \* \* \*

## § 130.19 User fees for other veterinary diagnostic services or materials provided at NVSL (excluding FADDL).

(a) User fees for other veterinary diagnostic services or materials avail-

able from NVSL (excluding FADDL) are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

Service	Unit	User fee			
		June 7, 2004– Sept. 30, 2004	Oct. 1, 2004– Sept. 30, 2005	Oct. 1, 2005– Sept. 30, 2006	Beginning Oct. 1, 2006
Antimicrobial susceptibility test .....	Isolate .....	\$95.00	\$98.00	\$101.00	\$105.00
Avian safety test .....	Test .....	3,774.00	3,871.00	3,972.00	4,075.00
Check tests, culture .....	Kit <sup>1</sup> .....	162.00	167.00	171.00	176.00
Check tests, serology, all other .....	Kit <sup>1</sup> .....	326.00	337.00	349.00	361.00
Fetal bovine serum safety test .....	Verification .....	1,061.00	1,078.00	1,096.00	1,114.00
Hourly user fee services: <sup>2</sup>					
Hour .....	Hour .....	84.00	84.00	84.00	84.00
Quarter hour .....	Quarter hour .....	21.00	21.00	21.00	21.00
Minimum .....	Minimum .....	25.00	25.00	25.00	25.00
Manual, brucellosis culture .....	1 copy .....	104.00	107.00	111.00	114.00
Manual, tuberculosis culture (English or Spanish).	1 copy .....	155.00	161.00	166.00	172.00
Manual, Veterinary mycology .....	1 copy .....	155.00	161.00	166.00	172.00
Manuals or standard operating proce- dure (SOP), all other.	1 copy .....	31.00	32.00	33.00	34.00
Manuals or SOP, per page .....	1 page .....	2.00	2.00	2.00	2.00
Training (school or technical assistance)	Per person per day.	300.00	310.00	320.00	331.00

<sup>1</sup> Any reagents required for the check test will be charged separately.

<sup>2</sup> For veterinary diagnostic services for which there is no flat rate user fee the hourly rate user fee will be calculated for the actual time required to provide the service.

(b) [Reserved]

(Approved by the Office of Management and Budget under control number 0579-0094)

[63 FR 53795, Oct. 7, 1998, as amended at 69 FR 25311, May 6, 2004]

EFFECTIVE DATE NOTE: At 72 FR 71749, Dec. 19, 2007, §130.19 was amended by revising the

table in paragraph (a), effective Jan. 18, 2007. For the convenience of the user, the revised text is set forth as follows:

## § 130.19 User fees for other veterinary diagnostic services or materials provided at NVSL (excluding FADDL).

(a) \* \* \*

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Service	Unit	User fee				
		Jan. 18, 2008–Sept. 30, 2008	Oct. 1, 2008–Sept. 30, 2009	Oct. 1, 2009–Sept. 30, 2010	Oct. 1, 2010–Sept. 30, 2011	Beginning Oct. 1, 2011
Antimicrobial susceptibility test ....	Isolate .....	\$105.00	\$107.00	\$109.00	\$112.00	\$114.00
Avian safety test .....	Test .....	4,082.00	4,090.00	4,099.00	4,109.00	4,180.00
Check tests, culture .....	Kit <sup>1</sup> .....	176.00	179.00	182.00	185.00	189.00
Check tests, serology .....	Kit <sup>1</sup> .....	361.00	369.00	377.00	385.00	394.00
Fetal bovine serum safety test ....	Verification .....	1,119.00	1,122.00	1,134.00	1,147.00	1,160.00
Hourly user fees: <sup>2</sup>						
Hour .....	Hour .....	104.00	104.00	108.00	112.00	112.00
Quarter hour .....	Quarter Hour .....	26.00	26.00	27.00	28.00	28.00
Minimum .....	30.00 .....	31.00	32.00	33.00	33.00	33.00
Manual, brucellosis culture.	1 copy .....	115.00	117.00	120.00	122.00	125.00
Manual, tuberculosis Culture (English or Spanish).	1 copy .....	172.00	176.00	180.00	183.00	188.00
Manual, Veterinary mycology.	1 copy .....	172.00	176.00	180.00	183.00	188.00
Manuals or standard operating procedure (SOP), all other.	1 copy .....	34.00	35.00	36.00	37.00	37.00
Manuals or SOP, per page.	1 page .....	2.25	2.50	2.50	2.75	2.75
Training (school or technical assistance).	Per person per day.	332.00	339.00	346.00	354.00	362.00

<sup>1</sup> Any reagents required for the check test will be charged separately.

<sup>2</sup> For veterinary diagnostic services for which there is no flat user fee the Hourly rate user fee will be calculated for the actual time required to provide the service.

\* \* \* \* \*

**§ 130.20 User fees for endorsing export certificates.**

(a) User fees for the endorsement of export health certificates that do not require the verification of tests or vaccinations are listed in the following table. The user fees apply to each export health certificate<sup>5</sup> endorsed for

the following types of animals, birds, or animal products, regardless of the number of animals, birds, or animal products covered by the certificate. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

Certificate categories	User fee Beginning Oct. 1, 2003
Animal and nonanimal products .....	\$32.00
Hatching eggs .....	30.00
Poultry, including slaughter poultry .....	30.00
Ruminants, except slaughter ruminants moving to Canada or Mexico .....	33.00
Slaughter animals (except poultry but including ruminants) moving to Canada or Mexico .....	35.00
Other endorsements or certifications .....	24.00

(b)(1) User fees for the endorsement of export health certificates that require the verification of tests or vaccinations are listed in the following

table. The user fees apply to each export health certificate<sup>5</sup> endorsed for animals and birds depending on the number of animals or birds covered by

<sup>5</sup> An export health certificate may need to be endorsed for an animal being exported from the United States if the country to which the animal is being shipped requires one. APHIS endorses export health certificates as a service.

<sup>5</sup> An export health certificate may need to be endorsed for an animal being exported from the United States of the country to which the animal is being shipped requires one. APHIS endorses export health certificates as a service.

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the certificate and the number of tests or vaccinations required. However, there will be a maximum user fee of 12 times the hourly rate user fee listed in §130.30(a) of this part for any single shipment. The person for whom the

service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with the provisions in §§130.50 and 130.51.

Number of tests or vaccinations and number of animals or birds on the certificate	User fee Beginning Oct. 1, 2003
<i>1–2 tests or vaccinations</i>	
Nonslaughter horses to Canada:	
First animal .....	\$38.00
Each additional animal .....	4.25
Other animals or birds:	
First animal .....	76.00
Each additional animal .....	4.25
<i>3–6 tests or vaccinations</i>	
First animal .....	94.00
Each additional animal .....	7.25
<i>7 or more tests or vaccinations</i>	
First animal .....	109.00
Each additional animal .....	8.50

(2) If an export certificate covers more than one animal, but the number of tests required for different animals are not the same, the user fee for the certificate is the fee which would be due if all the animals on the certificate required the same number of tests as the animal which requires the greatest number of tests.

(c) The user fees prescribed in this section will not apply to an export health certificate if the export health certificate is prepared for endorsement completely at the site of the inspection by an APHIS veterinarian in the course of performing inspection or supervision services for the animals listed on the certificate, and an APHIS user fee is payable under §130.30 of this part for the inspection or supervision services performed by the veterinarian.

(d) If a service must be conducted on a Sunday or holiday or at any other time outside the normal tour of duty of the employee, then reimbursable overtime, as provided for in part 97 of this chapter, must be paid for each service,

in addition to the user fee listed in this section.

(Approved by the Office of Management and Budget under control number 0579–0055)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38958, July 21, 1993. Redesignated at 58 FR 67655, Dec. 22, 1993, and amended at 58 FR 67656, Dec. 22, 1993; 61 FR 20434, 20436, May 7, 1996; 62 FR 61007, Nov. 14, 1997; 63 FR 53796, Oct. 7, 1998; 64 FR 67700, Dec. 3, 1999; 65 FR 16124, Mar. 27, 2000; 65 FR 52009, Aug. 28, 2000; 67 FR 48524, July 25, 2002; 68 FR 51886, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, §130.20 was amended in paragraph (b)(1) by adding footnote 1 in the table heading and by revising in the table the entry for “Nonslaughter horses to Canada”, effective Jan. 14, 2008. For the convenience of the user, the added and revised text is set forth as follows:

### **§ 130.20 User fees for endorsing export certificates.**

\* \* \* \* \*

(b)(1) \* \* \*

Number <sup>1</sup> of tests or vaccinations and number of animals or birds on the certificate	User fee beginning Oct. 1, 2003
* * * * *	
Nonslaughter horses to Canada:	
First horse .....	\$38.00
Each additional horse .....	4.25
* * * * *	

<sup>1</sup> Rabies vaccinations are not included in this number.

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**§ 130.21 [Reserved]**

**§ 130.22 User fees for inspection services outside the United States.**

(a) If inspection services (including inspection, testing, and supervision services) are performed outside the United States, in accordance with this title, and the regulations do not contain a provision for payment of the cost of the service, the person requesting the service must pay a user fee under this section.

(b) Any person who wants APHIS to provide inspection services outside the United States must contact the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road, Unit 38, Riverdale, Maryland 20737–1231, to make an agreement.

(c) All agreements must include the following:

(1) Name, mailing address, and telephone number of either the person requesting the inspection services, or his or her agent;

(2) Explanation of inspection services to be provided, including the regulations in title 9, Code of Federal Regulations which provide for the services;

(3) Date(s) and time(s) the inspection services are to be provided;

(4) Location (including street address) where inspection services are to be provided;

(5) An estimate of the actual cost, as calculated by APHIS, to provide the described inspection services for 6 months;

(6) A statement that APHIS agrees to provide the inspection services;

(7) A statement that the person requesting the inspection services, or, if appropriate, his or her agent, agrees to pay, at the time the agreement is entered into, a user fee equal to the estimated cost of providing the described inspection services for 6 months; and

(8) A statement that the person requesting the inspection services, or, if appropriate, his or her agent, agrees to maintain a user fee payment account equal to the cost of providing the described inspection services for 6 months, as calculated monthly by APHIS.

(d) APHIS will enter into an agreement only if qualified personnel can be made available to provide the inspection services.

(e) An agreement can be terminated by either party on 30 days written notice.

(f) If, at the time an agreement is terminated, any unobligated funds remain in the user fee payment account, APHIS will refund the funds to the person who requested the inspection services, or his or her agent.

[57 FR 771, Jan. 9, 1992. Redesignated at 58 FR 67655, Dec. 22, 1993; 59 FR 67617, Dec. 30, 1994]

**§§ 130.23–130.29 [Reserved]**

**§ 130.30 Hourly rate and minimum user fees.**

(a) User fees for import- or export-related veterinary services listed in paragraphs (a)(1) through (a)(13) of this section, except those services covered by flat rate user fees elsewhere in this part, will be calculated at the hourly rate listed in the following table for each employee required to perform the service. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

	User fee Beginning Oct. 1, 2003
Hourly rate	
Per hour .....	\$84.00
Per quarter hour .....	21.00
Per service minimum fee .....	25.00

(1) Providing services to live animals for import or entry at airports, ocean ports, and rail ports.

(2) Conducting inspections, including laboratory and facility inspections, required to obtain permits, either to import animal products, aquaculture products, organisms or vectors, or to maintain compliance with import permits.

(3) Obtaining samples required to be tested, either to obtain import permits or to ensure compliance with import permits.

(4) Providing services for imported birds or ratites that are not subject to quarantine.

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(5) Supervising the opening of in-bond shipments.

(6) Providing services for in-bond or in-transit animals to exit the United States.

(7) Inspecting an export isolation facility and the animals in it.

(8) Supervising animal or bird rest periods prior to export.

(9) Supervising loading and unloading of animals or birds for export shipment.

(10) Inspecting means of conveyance used to export animals or birds.

(11) Conducting inspections under part 156 of this chapter.

(12) Inspecting and approving an artificial insemination center or a semen collection center or the animals in it.

(13) Providing other import-or export-related veterinary services for which there is no flat rate user fee specified elsewhere in this part.

(b) *When do I pay an additional amount for employee(s) working overtime?* You must pay an additional amount if you need an APHIS employee to work on a Sunday, on a holiday, or at any time outside the normal tour of duty of that employee. Instead of paying the hourly rate user fee, you pay the rate listed in the following table for each employee needed to get the work done.

Overtime rates (outside the employee's normal tour of duty)	Premium rate user fee Beginning Oct. 1, 2003
Premium hourly rate Monday through Saturday and holidays:	
Per hour .....	\$100.00
Per quarter hour .....	25.00
Premium hourly rate for Sundays:	
Per hour .....	112.00
Per quarter hour .....	28.00

(Approved by the Office of Management and Budget under control numbers 0579-0055 and 0579-0094)

[65 FR 52009, Aug. 28, 2000, as amended at 68 FR 51886, Aug. 29, 2003]

EFFECTIVE DATE NOTE: At 72 FR 70766, Dec. 13, 2007, § 130.30 was amended in the introductory text of paragraph (a), by removing the words “through (a)(13)” and adding the words “through (a)(18)” in their place; by revising paragraph (a)(2); in paragraph (a)(4), by adding the words “, such as monitoring birds—including but not limited to pet birds—between flights” after the word “quarantine”; by redesignating paragraph (a)(13) as paragraph (a)(18); and by adding new paragraphs

(a)(13), (a)(14), (a)(15), (a)(16), and (a)(17), effective Jan. 14, 2008. For the convenience of the user, the added and revised text is set forth as follows:

### § 130.30 Hourly rate and minimum user fees.

(a) \* \* \*

\* \* \* \*

(2) Conducting inspections, including inspections of laboratories and facilities (such as biosecurity level two facilities), required either to obtain import permits for animal products, aquaculture products, or organisms or vectors, or to maintain compliance with import permits. This hourly rate does not apply to inspection activities covered in § 130.11.

\* \* \* \*

(13) Import or entry services for feeder animals including, but not limited to, feeder goats and feeder bison not covered by a flat rate user fee in § 130.7.

(14) Export-related bird banding for identification.

(15) Export-related inspection and approval of pet food facilities, including laboratories that perform pet food testing.

(16) Export-related services provided at animal auctions.

(17) Various export-related facility inspections, including, but not limited to, fertilizer plants that utilize poultry waste, rendering plants, and potential embarkation facilities.

\* \* \* \*

### §§ 130.31–130.48 [Reserved]

### § 130.49 Exemptions.

(a) *Veterinary diagnostics.* User fees for veterinary diagnostic services, including, but not limited to, tests and diagnostic reagents specified in §§ 130.14 through 130.19, are not charged under the following conditions:

(1) When veterinary diagnostic services are provided in connection with Federal programs to control or eradicate diseases or pests of livestock or poultry in the United States (program diseases);

(2) When veterinary diagnostic services are provided in support of zoonotic disease surveillance when the Administrator has determined that there is a significant threat to human health; and

(3) When veterinary diagnostic reagents are distributed within the

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United States for testing for foreign animal diseases.

(b) [Reserved]

[62 FR 61007, Nov. 14, 1997, as amended at 63 FR 53796, Oct. 7, 1998]

### § 130.50 Payment of user fees.

(a) *Who must pay APHIS user fees?* Any person for whom a service is provided related to the importation, entry, or exportation of an animal, article, or means of conveyance or related to veterinary diagnostics, and any person requesting such service, shall be jointly and severally liable for payment of fees assessed.

(b) *Associated charges*—(1) *Reservation fee.* Any reservation fee paid by an importer under part 93 of this chapter will be applied to the APHIS user fees specified in §§ 130.2 and 130.3 for animals or birds quarantined in an animal import center.

(2) *Special handling expenses.* The user fees in this part do not include any costs that may be incurred due to special mail handling, including, but not limited to, express, overnight, or foreign mailing. If any service requires special mail handling, the user must pay all costs incurred, in addition to the user fee for the service.

(3) *When do I pay an additional amount for employee(s) working overtime?* You must pay an additional amount if you need an APHIS employee to work on a Sunday, on a holiday, or at any time outside the normal tour of duty of that employee. You pay the amount specified in paragraphs (b)(3) (i) or (ii), as relevant, for each employee needed to get the work done.

(i) *What additional amount do I pay if I receive a flat rate user fee service?* In addition to the flat rate user fee(s), you pay the overtime rate listed in the following table for each employee needed to get the work done:

OVERTIME FOR FLAT RATE USER FEES<sup>1,2</sup>

	Outside of the employee's normal tour of duty	Overtime rates (per hour)		
		Oct. 1, 2003–Sept. 30, 2004	Oct. 1, 2004–Sept. 30, 2005	Beginning Oct. 1, 2005
Rate for inspection, testing, certification or quarantine of animals, animal products or other commodities. <sup>3</sup>	Monday-Saturday and holidays.	\$48.00	\$49.00	\$51.00
	Sundays .....	63.00	65.00	67.00
Rate for commercial airline inspection services. <sup>4</sup>	Monday-Saturday and holidays.	39.00	40.00	41.00
	Sundays .....	51.00	53.00	55.00

<sup>1</sup> Minimum charge of 2 hours, unless performed on the employee's regular workday and performed in direct continuation of the regular workday or begun within an hour of the regular workday.

<sup>2</sup> When the 2-hour minimum applies, you may need to pay commuted travel time. (See § 97.1(b) of this chapter for specific information about commuted travel time.)

<sup>3</sup> See § 97.1(a) of this chapter or 7 CFR 354.3 for details.

<sup>4</sup> See § 97.1(a)(3) of this chapter for details.

(ii) *What amount do I pay if I receive an hourly rate user fee service?* Instead of paying the normal hourly rate user fee under § 130.30(a), you pay the premium rate listed in § 130.30(b) for each employee needed to get the work done.

(c) *When are APHIS user fees due?*—(1) *Animal and bird quarantine and related tests.* User fees specified in §§ 130.2, 130.3, 130.5, 130.10, and tests specified in §§ 130.14 through 130.19 for animals and birds in an Animal Import Center or privately operated permanent or temporary import quarantine facilities, including user fees for tests conducted on these animals or birds, must be paid

prior to the release of those animals or birds from quarantine.

(2) *Supervision and inspection services for export animals, animal products.* User fees for supervision and inspection services specified in § 130.30 must be paid when billed, or, if covered by a compliance agreement signed in accordance with this chapter, must be paid when specified in the agreement.

(3) *Export health certificates.* User fees for export health certificates specified in § 130.20 must be paid prior to receipt of endorsed certificates unless APHIS determines that the user has established an acceptable credit history, at

which time payment may, at the option of the user, be made when billed.

(4) *Veterinary diagnostics.* User fees specified in §§130.14 through 130.19 for veterinary diagnostic services, such as tests on samples submitted to NVSL or FADDL, diagnostic reagents, slide sets, tissue sets, and other veterinary diagnostic services, must be paid when the veterinary diagnostic service is requested, unless APHIS determines that the user has established an acceptable credit history, at which time payment may, at the option of the user, be made when billed.

(5) *Other user fee services.* User fees specified in §§130.6, 130.7, 130.8, and 130.30 must be paid when service is provided (for example when live animals are inspected when presented for importation at a port of entry), unless APHIS determines that the user has established an acceptable credit history, at which time payment may, at the option of the user, be made when billed.

(d) *What payment methods are acceptable?* Payment must be for the exact amount due and may be paid by:

(1) Cash, will be accepted only during normal business hours if payment is made at an APHIS office<sup>7</sup> or an Animal Import Center;

(2) All types of checks, including traveler's checks, drawn on a U.S. bank in U.S. dollars and made payable to the U.S. Department of Agriculture or USDA;

(3) Money orders, drawn on a U.S. bank in U.S. dollars and made payable to the U.S. Department of Agriculture or USDA; or

(4) Credit cards (VISA<sup>TM</sup> and MasterCard<sup>TM</sup>) if payment is made at an Animal Import Center or an APHIS office that is equipped to process credit cards.<sup>7</sup>

[63 FR 53796, Oct. 7, 1998, as amended at 64 FR 67700, Dec. 3, 1999; 65 FR 52010, Aug. 28, 2000; 67 FR 48524, July 25, 2002; 68 FR 51887, Aug. 29, 2003]

<sup>7</sup>A list of APHIS offices and Animal Import Centers that accept cash or credit cards may be obtained from the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import and Export, 4700 River Road Unit 38, Riverdale, MD 20738-1231.

#### § 130.51 Penalties for nonpayment or late payment.

(a) *Unpaid debt.* If any person for whom the service is provided fails to pay when due any debt to APHIS, including any user fee due under 7 CFR chapter III or chapter I of this title, then:

(1) *Subsequent user fee payments.* Payment must be made for subsequent user fees before the service is provided if:

(i) For unbilled fees, the user fee is unpaid 60 days after the date the pertinent regulatory provision indicates payment is due;

(ii) For billed fees, the user fee is unpaid 60 days after date of bill;

(iii) The person for whom the service is provided or the person requesting the service has not paid the late payment penalty or interest on any delinquent APHIS user fee; or

(iv) Payment has been dishonored.

(2) *Resolution of difference between estimate and actual.* APHIS will estimate the user fee to be paid; any difference between the estimate and the actual amount owed to APHIS will be resolved as soon as reasonably possible following the delivery of the service, with APHIS returning any excess to the payor or billing the payor for the additional amount due.

(3) *Prepayment form.* The prepayment must be in guaranteed form, such as money order, certified check, or cash. Prepayment in guaranteed form will continue until the debtor pays the delinquent debt.

(4) *Denied service.* Service will be denied until the debt is paid if:

(i) For unbilled fees, the user fee is unpaid 90 days after date the pertinent regulatory provision indicates payment is due;

(ii) For billed fees, the user fee is unpaid 90 days after date of bill;

(iii) The person for whom the service is provided or the person requesting the service has not paid the late payment penalty or interest on any delinquent APHIS user fee; or

(iv) Payment has been dishonored.

(b) *Unpaid debt during service.* If APHIS is in the process of providing a service for which an APHIS user fee is due, and the user has not paid the fee within the time required, or if the payment offered by the user is inadequate



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or unacceptable, then APHIS will take the following action:

(1) *Animals or birds in quarantine.* If an APHIS user fee specified in §130.2 or §130.3 is due for animals or birds in quarantine at an animal import center or at a privately operated import quarantine facility, APHIS will not release them.

(2) *Export health certificate.* If an APHIS user fee specified in §130.20 is due for an export health certificate, APHIS will not release the certificate.

(3) *Veterinary diagnostics.* If an APHIS user fee specified in §§130.14 through 130.19 is due for a veterinary diagnostic test or service, APHIS will not release the test result, any endorsed certificate, or any other veterinary diagnostic service.

(c) *Late payment penalty.* If for unbilled user fees, the user fees are unpaid 30 days after the date the pertinent regulatory provisions indicates payment is due, or if billed, are unpaid 30 days after the date of the bill, APHIS will impose a late payment penalty and interest charges in accordance with 31 U.S.C. 3717.

(d) *Dishonored payment penalties.* User fees paid with dishonored forms of payment, such as a check returned for insufficient funds, will be subject to interest and penalty charges in accordance with 31 U.S.C. 3717. Administrative charges will be assessed at \$20.00 per dishonored payment to be paid in addition to the original amount owed. Payment must be in guaranteed form, such as cash, money order, or certified check.

(e) *Debt collection management.* In accordance with the Debt Collection Improvement Act of 1996, the following provisions apply:

(1) *Taxpayer identification number.* APHIS will collect a taxpayer identification number from all persons, other than Federal agencies, who are liable for a user fee.

(2) *Administrative offset.* APHIS will notify the Department of Treasury of debts that are over 180 days delinquent for the purposes of administrative offset. Under administrative offset, the Department of Treasury will withhold funds payable by the United States to a person (*i.e.*, Federal income tax refunds) to satisfy the debt to APHIS.

(3) *Cross-servicing.* APHIS will transfer debts that are over 180 days delinquent to the Department of Treasury for cross-servicing. Under cross-servicing, the Department of Treasury will collect debts on behalf of APHIS. Exceptions will be made for debts that meet certain requirements, for example, debts that are already at a collection agency or in payment plan.

(4) *Report delinquent debt.* APHIS will report all unpaid debts to credit reporting bureaus.

(f) *Animals or birds abandoned after quarantine at an animal import center.* Animals or birds left in quarantine at an animal import center for more than 30 days after the end of the required quarantine period will be deemed to be abandoned.

(1) After APHIS releases the abandoned animals or birds from quarantine, APHIS may seize them and sell or otherwise dispose of them, as determined by the Administrator, provided that their sale is not contrary to any Federal law or regulation, and may recover all expenses of handling the animals or birds from the proceeds of their sale or disposition.

(2) If animals or birds abandoned in quarantine at an animal import center cannot be released from quarantine, APHIS may seize and dispose of them, as determined by the Administrator, and may recover all expenses of handling the animals or birds from the proceeds of their disposition and from persons liable for user fees under §130.50(a).

[63 FR 53797, Oct. 7, 1998, as amended at 68 FR 6346, Feb. 7, 2003]